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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 JAMES NOLAN NANCE, JR.,

9 Plaintiff,

10 v.

11 BREMERTON POLICE DEPARTMENT,
12 et al.,

13 Defendants.

Case No. C08-5039BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation of the
15 Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 41). The Court having
16 considered the Report and Recommendation, Plaintiff's failure to file objections, and the
17 remaining record, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation; and
19 (2) Plaintiff's claims against Defendant Kelly Marie Montgomery are
20 **DISMISSED** because Plaintiff has failed to state a claim against Defendant
21 Montgomery upon which relief may be granted.

22 DATED this 25th day of November, 2008.

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26 BENJAMIN H. SETTLE
27 United States District Judge
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ORDER